

REMARKS

35 U.S.C. § 112 Rejections

Claims 1-20, 21-26 and 34-39 remain rejected under 35 U.S.C. § 112, ¶ 1, as failing to comply with the written description requirement. Applicant has been asked to show that the subject matter of claims 1-20, 21-26 and 34-39 is described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor, at the time the application was filed, had possession of the claimed invention.

More specifically, the Examiner asks Applicant to show that the specification supports the references in the claims to input data "required" by the gaming machines.

Claims 1, 21 and 34 have been further amended to more clearly define features of the invention by using language identical to those expressed in the specification as illustrated in the following paragraphs (emphasis supplied):

Page 12, paragraph 24:

Some of the input data in central database 24 also is transmitted over subnetwork 18 to local database 46 and is stored in database 46. On occasion, one of gaming machines 100 and 102 **requires** transmission of input data stored in local database 46, and the input data is sent to the gaming machine under control of CPU 42.

Page 13, paragraph 26:

Some of the input data in central database 24 also is transmitted over subnetwork 19 to local database 66 and is stored in database 66. On

occasion, one of gaming machines 104 and 106 requires transmission of input data stored in local database 66, and the input data is sent to the gaming machine under control of CPU 62.

Page 22, paragraph 46:

The poller uses data required by games 100 and 102 from the local database 46 whenever possible. The poller obtains data relating to balances in player accounts and ticket 138 from the RT database in central database 24 and stores the data in database 46.

Page 27, paragraph 59:

From time-to-time, the input data stored in database 24 may be required by game 100 or game 102. Such data periodically is copied from database 24 and is stored in database 46 by the data mover function of unit 40. For example, the data mover function of unit 40 may retrieve from database 24 ticket, player, meter and jackpot data originating from gaming machines 100 and 102 played within the preceding 36 hours (or another time period) and store the data in database 46. As a result, the data will be readily available for use by gaming machines 100 and 102 even if central authority 22 is temporarily disabled.

The teachings in these paragraphs fully support the amendments, and are commensurate in scope with the claimed language. Thus, each of the references in the claims to data required by the gaming machines is supported by the specification.

In summary, claims 1-10, 21-26 and 34-39 now are in compliance with § 112, first paragraph.

35 U.S.C. § 102 Rejections

The Examiner rejected claims 1-7 and 10 under 35 U.S.C. 102(a) as being clearly anticipated by Acres '483 ("Acres").

In the Advisory Action, the Examiner maintains the position that there is no structural means in claim 1 to perform what the Examiner characterizes as functions, including transmitting and/or using required data. As pointed out in Amendment A, the claims are drafted with electrical structural terms, such as a network and a data processing unit. Claim 1 has been amended to further specify that the data processing unit includes a programmed hardware, which allows the data processing unit to perform the functions recited in the claims.

This amendment is supported by, for example, by paragraph 24 on page 11, which provides "a central processing unit (CPU) 42 that executes a poller algorithm 44" as an example of a programmed hardware.

The functional limitations in claim 1 are used to define the programmed hardware, and must be considered as part of claim limitations. See MPEP § 2173.05(g).

Applicant respectfully submits that, as it will be further explained below, the functional language in amended claim 1 convey patentability over the structure of the prior art in Acres. See MPEP §2114. The Examiner is therefore respectfully requested to withdraw this position.

Applicant respectfully submits that Acres does not anticipate the subject matter of amended claim 1. The Examiner construes the Acres accounting system 38 as the claimed first database. Amended claim 1 is limited to a processing unit that has a programmed hardware that allows the processing unit to obtain the input data from the first database, to store the input data in the second database, and to transmit at least a portion of the input data required by the gaming machines from the second database to the gaming machines over the network. There is no such programmed hardware with such features described in Acres. The Examiner construes the bank controller 24 of Acres as the claimed second database. Controller 24 is described in Col. 3, line 64 – Col. 4, line 12, but there is no description of any data being stored by controller 24, much less data required by the gaming machines as claimed. As far as the undersigned can determine, there is no flow of data from bank controller to the gaming machines when the data is required by the gaming machines. The data flow is only in the direction of accounting system 38 or servers 42, 44 and 46.

For the foregoing reasons, claim 1 is not anticipated by Acres '483, and is allowable as amended.

Claims 2-7 and 10 are dependent from claim 1, and are allowable over Acres '483 at least for the same reasons as claim 1.

The Examiner further rejected claims 1-10 and 21-26 under 35 U.S.C.102(e) as being anticipated by Rowe '907 ("Rowe").

Regarding claim 1, the Examiner construes the clerk validation terminals (CVTs) of Rowe as the claimed second database. However, there is no teaching in Rowe of a processing unit that has a programmed hardware that allows the processing unit to

obtain the input data from the first database, to store the input data in the second database, and to transmit at least a portion of the input data required by the gaming machines from the second database to the gaming machines over the network as claimed. As far as the undersigned can determine, there is no flow of data from the CVTs to the gaming machines. The data flow is only in the direction of components shown at the left-hand side of Fig. 2. Therefore Rowe does not anticipate amended claim 1.

Independent claim 21 is a method claim and has been amended in ways analogous to the amendment of claim 1, which now includes the steps of "obtaining the input data from the first database; storing the input data apart from the first database; and requiring transmission of at least a portion of the input data stored apart from the first database to the gaming machines." Claim 21 is allowable at least for the same reasons as claim 1.

Claims 2-9 and 22-26 depend from claim 1 and claim 21, respectively. These dependent claims are allowable at least for the same reasons as independent claims 1 or 21.

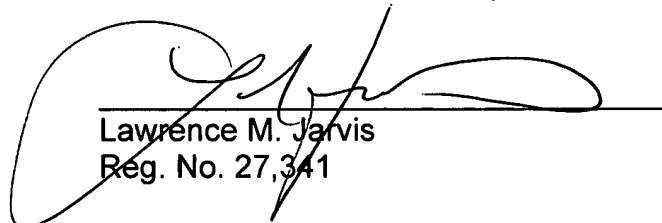
CONCLUSION

In view of the above amendments and remarks, Applicant respectfully requests reconsideration and allowance of all pending claims 1-10, 21-26 and 34-39. A Notice of Allowance is respectfully solicited.

A check to pay for the Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 and the two-month extension request is enclosed, and the Commissioner is authorized to charge any additional fees or credit overpayment to the deposit account of McAndrews, Held & Malloy, Ltd., Account No. 13-0017.

Respectfully submitted,
McAndrews, Held & Malloy, Ltd.

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